



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Steven D. GOODMAN, et al.

Serial No: 10/614,072

Filed: July 2, 2003

For: PREVENTING TOOTH DECAY AND  
INFECTIVE ENDOCARDITIS  
USING NATURAL  
OLIGOPEPTIDES

Art Unit: N/A

Examiner: N/A

I hereby certify that this  
correspondence is being deposited with  
the United States Postal Service with  
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450, on

August 22, 2003

Date of Deposit

Wei-Ning Yang, Reg. No. 38,690

Name

08/22/2003

Signature

Date

**TRANSMITTAL OF INFORMATION  
DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sirs:

1. ☒ The information disclosure statement submitted herewith is being filed within three months of the filing date of the application other than a continued prosecution application, or within three months of the date of entry into the national stage of an international application, or before the mailing date of a first Office Action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under §1.114, whichever event occurs last. 37 C.F.R. §1.97(b).
2. ☐ The information disclosure statement transmitted herewith is being filed *after* the period specified in §1.97(b), but *before* the mailing date of a final action under §1.113, or a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, whichever occurs first. A statement specified in §1.97(e) or a fee set forth in §1.17(p) is included. 37 C.F.R. §1.97(c).

**§1.97(e) STATEMENT**

I, the person signing below, state:

- ☐ that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

OR

- ☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification

after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

**OR FEE**

- ☐ Please charge the fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c) (\$180.00) to Deposit Account No. 50-1314. A copy of this petition is enclosed.

3. ☐ The information disclosure statement transmitted herewith is being filed *after* the period specified in §1.97(c), but before, or simultaneously with the payment of the issue fee. A statement specified in §1.97(e) and a fee set forth in §1.17(p) are included. 37 C.F.R. §1.97(d).

**§1.97(e) STATEMENT**

I, the person signing below, state:

- ☐ that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

**OR**

- ☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

**AND FEE**

- ☐ Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(d). (\$180.00).
4. ☒ If it should be determined that for any reason either an insufficient fee or an excessive has been paid, please charge any insufficiency or credit any overpayment necessary to ensure consideration of the information disclosure statement for the above-identified application to Deposit Account No. 50-1314. **A copy of this petition is enclosed.**
5. ☒ A list of 27 reference(s) is in the enclosed Form PTO-1449

**NON-ENGLISH LANGUAGE REFERENCES**

- ☐ Enclosed is a search report for a counterpart application. The search report Examiner has provided comments on the relevancy of any non-English language references cited in the search report.
- ☐ The specification incorporates comments on the relevancy of Non-English language references.
- ☐ Set forth below are comments provided by the applicant's home country counsel on the relevancy of non-English language references:


Respectfully submitted,

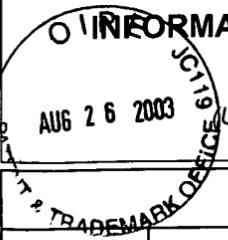
HOGAN & HARTSON L.L.P.

Date: August 22, 2003

Biltmore Tower  
500 South Grand Avenue, Suite 1900  
Los Angeles, CA 90071  
Telephone: (213) 337-6700  
Facsimile: (213) 337-6701

By:

  
Wei-Ning Yang  
Registration No. 38,690  
Attorney for Applicant(s)

Docket Number (Optional):  
89188.0046Application Number:  
10/614,072Applicant:  
Steven D. GOODMAN, et al.Filing Date:  
July 2, 2003Group Art Unit:  
N/A

**INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION**

(Use several sheets if necessary)

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	4,692,407		Jordan et al.			
	4,725,576		Pollock et al.			
	5,013,542		Hay, et al.			
	5,374,538		Bratthall			
	5,486,503		Oppenheim, et al.			
	5,631,228		Oppenheim, et al.			
	5,646,119		Oppenheim, et al.			
	5,801,226		Cummins, et al.			
	5,807,541		Aberg, et al.			
	5,830,489		Valenti, et al.			
	5,885,965		Oppenheim, et al.			
	5,912,230		Oppenheim, et al.			
	6,136,298		Gaffar, et al.			
	6,231,857		Shi, et al.			
	2002/0081302		Cvitkovitch, et al.			

**FOREIGN PATENT DOCUMENTS**

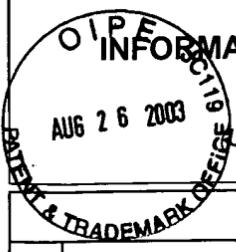
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

Ellen, R.P., Microbiological Assays for Dental Caries and Periodontal Disease Susceptibility," <i>Oral Sci. Rev.</i> 8:3-23 (1976)
Fukushima, K., Okada, T., Ochiai, K. "Production Characterization and Application of Monoclonal Antibodies which Distinguish Three Glucosyltransferases from <i>Streptococcus Mutans</i> ," <i>Infection and Immunity</i> 61:323-328 (1993)
Goodman, S.D. and Gao Q., "Firefly Luciferase as a Reporter to Study Gene Expression in <i>Streptococcus Mutans</i> ," <i>Plasmid</i> 42:154-157 (1999)

**EXAMINER****DATE CONSIDERED**

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

Docket Number (Optional):  
89188.0046Application Number:  
10/614,072

**INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION**

Use several sheets if necessary)

Applicant:  
Steven D. GOODMAN, et al.Filing Date:  
July 2, 2003Group Art Unit:  
N/A**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**Goodman, S.D. and Gao, Q. "Characterization of the *gtfB* and *gtfC* promoters from *Streptococcus Mutans* GS-5," *Plasmid* 43:85-98 (2000)Goodman, et al. "In Vitro Selection of Integration Host Factor Binding Sites," *J. of Bact.* 181-2346-3255 (1999)Hanada, N., Kuramitsu, H.K., "Isolation and Characterization of the *Streptococcus Mutans gtfD* Gene Coding for Primer-Dependent Soluble Glucan Synthesis," *Infection and Immunity*, 57:2079-2085 (1989)Hume, W.R., "Need for Change in Standards of Caries Diagnosis-Perspective Based on the Structure and Behavior of the Carious Lesion," *J. Dent. Educ.* 57:439-443 (1993)Igarashi et al., "Direct Detection of *Streptococcus Mutans* in Human Dental Plaque by Polymerase Chain Reaction," *Oral Microbiol and Immunol.* 11:294-298 (1996)Lee, M.S. and Morrison, D.A., "Identification of a New Regulator in *Streptococcus Pneumociae* Linking Quorum Sensing to Competence for Genetic Transformation," *J. of Bact.* 181:5004-5016 (1999)Lenander-Lumikari et al., "Saliva and Dental Caries," *Adv. Dent. Res.* 14:40-47 (Dec. 2000)Li, Y-H et al., "Natural Genetic Transformation of *Streptococcus Mutans* Growing in Biofilms," *J. of Bac.* 183:897-908 (2001)Tanzer, J.M., "Understanding Dental Caries; an Infectious Disease, not a Lesion," *Inter. J. Oral Biol.* 22:205-214 (1997)**EXAMINER****DATE CONSIDERED**

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.